

Air Program Fact Sheet 3 • Revocation of Air Permits

Applying for a Registration Operation Permit

June 2006

This Fact Sheet provides information for owners and operators of facilities that want to apply for a Registration Operation Permit (ROP).*

In order to be granted coverage under the ROP, all previously issued permits and orders must be revoked. This is necessary to avoid having different requirements in different permits. Most existing air permits and orders are tailored to an individual facility and contain source specific requirements. These specific requirements are not included in the ROP. Instead, the ROP is a standardized permit that has general terms and conditions that apply to all facilities that are covered under the permit.

IS YOUR FACILITY ALREADY COVERED BY ONE OR MORE AIR PERMITS?

- If the answer is yes, all your facility's previously issued air pollution control permits and orders must be revoked when your facility is covered under a Registration Operation Permit (ROP). Before applying for a ROP, please follow these steps:
 - 1) Make sure your facility is eligible for a ROP.**
 - 2) Submit a written request to the DNR to review your permits and orders. The Revocation Form is available at <http://dnr.wi.gov/org/aw/air/apii/regpermits.html> under Fact Sheets. DNR will determine if these permits can be replaced with the more general conditions in the ROP.
 - 3) Apply for the ROP after you are notified that your facility's permits and orders can be revoked. Your permits and orders will not actually be revoked until your facility is officially covered under the ROP. This ensures that you do not operate your facility without a valid permit.
- If the answer is no, you should make sure that you are eligible for the ROP and then submit the ROP application.

WHY DO THE PERMITS AND ORDERS NEED TO BE REVOKED?

- Existing permits and orders need to be revoked so that facilities are covered under a single air permit document. This alleviates confusion regarding the facility's requirements.
- Most existing air permits and orders contain source specific emission limits. A source specific emission limitation is a limit that applies only to an individual facility based on its specific operations. These specific limits are not included in a ROP. ROPs have general terms and conditions to ensure that they are useful for as many companies as possible.

WHY WOULD A PERMIT OR ORDER NOT BE REVOKED?

- If your facility's permits or orders contain requirements that need to be enforceable through an individual permit or order, or if your facility is ineligible for a ROP, the Department would not be able to revoke the permits or orders under this procedure. Some examples of conditions or situations that would make your permits or orders irrevocable are:
 - Non-allowed NSPS
 - Limits less than 25 tpy set to meet offsets
 - A non-allowed MACT standard.
 - Existence of judicial orders.

* A ROP is a standardized operation permit for use by facilities with low actual emissions.

** Eligibility requirements are included as Appendix A to the Revocation Form available on the Registration Permit Website. For more information on ROP eligibility and the Revocation Form go to <http://dnr.wi.gov/org/aw/air/apii/regpermits.html>. If you are interested in having a permit revoked but do not plan on applying for a ROP, these are not the procedures to follow. Your DNR Air Contact can help you request a revocation of permits for reasons other than applying for coverage under the ROP.

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HOW DO I MAKE MY REQUEST?

- Wisconsin Administrative Code requires that requests to revoke an air permit must be submitted to the Department in writing. To request your permit and order revocation, please do the following:
 - Use the Revocation Form available on DNR's Registration Permit Website <http://dnr.wi.gov/org/aw/air/apii/regpermits.html> to request your revocation. You will need to list all the air pollution control permit and administrative order numbers that have been issued to your facility.*
 - Mail the original completed and signed revocation form plus one copy to: Bureau of Air Management, P.O. Box 7921 – AM/7, ROP Revocation Request, Madison WI 53707-7921. You will receive confirmation email of receipt of your request.** Keep a copy for your records.

WHAT HAPPENS NEXT?

- If all of your permits are revocable, State rules require the Department to notify you and other interested parties in writing within a 14 or 21 day period (depending on type of permit being revoked) of our intent to revoke your permits. The Department will determine if your permits or orders can be revoked contingent upon coverage under a ROP.
- Once we receive your ROP application, we will verify your eligibility and issue you coverage under the ROP while simultaneously revoking your existing permits. We will not actually revoke your permits and orders until the ROP coverage is granted.
- If we notify you that one or more of your permits or orders cannot be revoked, your existing permits will remain in effect.

FOR MORE INFORMATION

Please contact: Kristin Hart at (608) 273-5605 or Kristin.Hart@dnr.state.wi.us or checkout our website at <http://www.dnr.wi.gov/org/aw/air/apii/regpermits.html>

DISCLAIMER —This document is intended solely as guidance and does not contain any mandatory requirements except where requirements found in statute or administrative rule are referenced. This guidance does not establish or affect legal rights or obligations and is not finally determinative of any of the issues addressed. This guidance does not create any rights enforceable by any party in litigation with the State of Wisconsin or the Department of Natural Resources. Any regulatory decisions made by the Department of Natural Resources in any matter addressed by this guidance will be made by applying.

* For help in finding out what your FID number is or what your old air permit and order numbers are:
- Search the List of Permits on the web at http://dnr.wi.gov/org/aw/air/permits/APM_toc.htm
- E-mail or phone your Regional Air Contact. <http://dnr.wi.gov/org/aw/air/staff/amstaffdir.pdf>
- E-mail or call Kristin Hart, ROP Air Contact, (608) 273-5605, Kristin.Hart@dnr.state.wi.us.
**Please be sure to include your e-mail address in Item #5 of the Revocation Form.